

second time, and passed to a third reading. Rules further suspended, bill read third time and passed.

By leave, Senator Ireland, Chairman of Judiciary Committee, submitted the following report:

*Hon. R. R. Hubbard, President of the Senate;*

Your Committee on Judiciary to whom was referred House bill No. 813, "An act to perfect the organization of the county of Presidio," have considered the same and recommend its passage.

IRELAND, Chairman.

Senator Wood, by leave, introduced a bill entitled "An act supplemental to an act entitled 'an act creating the office of Assistant Attorney General, defining his duties, and fixing his salary,'" passed at the present session of the Fourteenth Legislature. Read first time, and ordered to lie on the table.

On motion of Senator Flanagan, the Senate adjourned until 9½ o'clock A. M., to-morrow.

## FIFTY-FIRST DAY.

SENATE CHAMBER,  
AUSTIN, March 12, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by Rev. Mr. Byer, of Cooke county.

The reading of the journal of yesterday was dispensed with.

On motion of Senator Wood, Senator Ireland was excused for the remainder of the session.

On motion of Senator Ellis, Senator Friend was excused for the remainder of the session, after to-day.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 804, "An act to authorize G. Schleicher and G. Hoffman to erect and keep a boom across the Colorado river, at or near the city of Austin, in the county of Travis," was taken up, pending House amendments thereto.

The House amendments were concurred in.

On motion of Senator Hobby, the members of the Enrolling and Engrossing Committees, on account of the press

of business in their respective departments, be allowed to be absent from the Senate Chamber at any time.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 755, "An act to ascertain the deficiencies of the several departments of State, for the fiscal year ending the 31st day of August, A. D. 1875, and amounts due individuals, and to appropriate money to pay the same," and find the same correctly engrossed.

JOSEPH, for Committee.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 813, "An act to amend 'an act prescribing the times of holding the district courts in the Twenty-ninth Judicial District, and repealing all other acts in conflict with this act,' " approved April 29th, 1874.

Senate bill No. 782, "An act to amend 'an act to provide for the safe keeping of the furniture and fixtures belonging to the public halls of the Capitol, to the public library, and to provide for the improvement of the Capitol grounds and State Cemetery,' " approved April 29th, 1874, and find both of same correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Wood, the rules were suspended and Senate bill No. 815, "An act supplemental to an act entitled 'an act creating the office of Assistant Attorney General, defining his duties and fixing his salary,' " passed at the present session of the Legislature, was taken up, read second time and ordered engrossed.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senator Shepard introduced a bill entitled "An act providing for the revision of the registration lists of Bexar county." Read first time and ordered to lie on the table.

Senator Flanagan offered the following resolution :

*Resolved*, That the President of the Senate be required to appoint one of the clerks of the Senate, whose duty it

shall be to remain after the adjournment of the present session, and take charge of all the unfinished business, and make out a complete alphabetical index to the same, and file it with the Secretary of State; to make out a complete index to the journals of this session; and furnish the same to the Public Printer, and to forward, when published, a copy of the general and special laws and journal to each Senator; and, also, to forward all mail matter coming to Senators after the adjournment; and that the said clerk be continued in office ninety days for said purpose.

The President suggested that the Senate elect. Adopted.

Senator Wood moved to insert the words "Secretary of the Senate." Adopted.

Senator Wood offered the following amendment: *Provided*, that the Comptroller shall draw his warrant on the Treasurer for the amount due the Secretary of the Senate under this resolution, upon the certificate of the Secretary of State; to be paid out of the contingent fund of the second session of the Fourteenth Legislature. Adopted.

The resolution, as amended, was then adopted.

On motion of Senator Flanagan, the rules were suspended and House bill No. 861, "An act to grant to any company who will macadamize certain roads in Hays county," was taken up and read first time.

Senator Camp moved that the bill be indefinitely postponed. Lost, by the following vote:

YEAS—Senators Allison, Ball, Bradshaw, Camp, Dillard, Davenport, Hobby, Morris, Moore and Parker—10.

NAYS—Senator Baker, Bradley, Burton, Ellis, Erath, Flanagan, Friend, Joseph, Ledbetter, Russell, Shepard, Stirman, Swift and Westfall—14.

The bill was then read second time and passed to third reading.

Senator Flanagan moved a suspension of the rules to put the bill on its third reading. Lost.

Senator Westfall, for Committee on Enrolled Bills, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, etc., Senate bill No. 659, "An act to improve the navigation of Oyster creek, Bernard and Caney." Senate bill No. 807, "An act to authorize the board of trustees of

school district No. 1, in the county of Gonzales, to levy a tax upon the property within said school district, for the purpose of raising funds to pay the balance of the purchase money of the public school building within said district, and for repairs on the same." Senate joint resolution No. 791, "Instructing our Senators and requesting our Representatives in Congress to use their earnest endeavors to procure the passage of a law or laws, and an appropriation by the Congress of the United States, to give better protection to our Mexican border; to reimburse the State of Texas for the expenditures incurred in protecting the lines of the Rio Grande river; to indemnify citizens and residents of Texas for losses sustained by armed bandits from the Republic of Mexico, driving off their cattle and horses, and to give security for the future, to life and property along the Rio Grande border," etc. Senate bill No. 448, "An act to provide for the instruction of the pupils of the institution for the deaf and dumb in the art of printing." Senate bill No. 747, "An act to incorporate the Brazos Valley Narrow Gauge Railway Company, and to grant lands in aid of the construction of the same." Senate bill No. 685, "An act to provide for the election and qualification of assessors and collectors of taxes." Substitute Senate bill No. 306, "An act better defining the powers and duties of sheriffs and constables." Senate bill No. 454, "An act to incorporate the Lamar University Association," and have this twelfth day of March, 1875, at 10:15 o'clock A. M., presented the same to the Governor for his approval.

WM. H. WESTFALL, for Committee.

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills have carefully examined and compared the following Senate bills, and find them correctly enrolled: Senate bill No. 478, "An act to amend an act entitled 'an act providing for the removal of county seats;'" approved May 1, 1874. Senate bill No. 677, "An act for the relief of Oscar M. Jackson." Senate bill No. 630, "An act to validate the official acts of J. H. Jernigan, as Notary Public of Hunt county." Senate bill No. 552, "An act to authorize the Board of Public Printing to employ a practical printer to aid them in the proper discharge of their duties." Senate bill No. 769, "An act for the relief of H. C. Hunt and George W. Whitmore." Senate bill No. 796, "An act to amend 'an act to

organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and to prescribe the duties thereof ; ” approved July 23, 1870 ; and have presented the same to the Governor for his approval, this twelfth day of March, A. D. 1875, at eleven o'clock and — minutes. WESTFALL, for Committee.

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills have carefully examined and compared and find correctly enrolled, Senate bill No. 753, “ An act to incorporate the Central Narrow Gauge Railroad Company, and to grant lands to aid in the construction of its road,” and have this 12th day of March, at 10:15 o'clock A. M., presented the same to the Governor for his approval. WM. H. WESTFALL, for Committee.

On motion of Senator Morris, the rules were suspended, and the bill introduced by him, entitled “ An act to amend the eighteenth section of ‘ an act to incorporate the Sherman, Tyler and Henderson Railway Company, and to grant lands to aid in the construction thereof ; ’ ” passed May 6, 1873, was taken up, read second time and ordered engrossed.

Rules suspended, bill read third time and passed.

A message was received from the House, announcing the passage of the following bills :

House bill No. 773, “ An act in regard to vagrant and mendicant children.” Senate bill No. 814, “ An act to disqualify certain persons from exercising the functions of offices from which they have been removed.” Senate bill No. 806, “ An act to authorize the Judge of the Fourteenth Judicial District of the State of Texas to open his court in the county on any day during the March term, A. D. 1875.” Senate bill No. 764, “ An act to incorporate the Georgetown and Rockdale Railroad Company,” with amendments by the House. Senate bill No. 701, “ An act to incorporate the Travis Rifles, of the city of Austin.”

Senator Hobby, Chairman Committee on Enrolled Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills have examined and find correctly enrolled, Senate bill No. 743, “ An act to amend sections two and eleven of ‘ an act to incorporate the

Beaumont, Corsicana and Fort Worth Railroad Company ;' " passed May 29th, 1873; and have presented the same to the Governor this 11th day of March, A. D. 1875, at 9:30 A. M.

HOBBS, Chairman.

Senator Morris introduced a bill entitled "An act to amend the eighteenth section of 'an act to incorporate the Sherman, Tyler and Henderson Railway Company, and to grant lands to aid in the construction thereof ;' " passed May 6, 1873. Read first time and ordered to lie on the table.

On motion of Senator Ball, the rules were suspended, and House bill No. 719, "An act making an appropriation to pay the commissioners appointed to appraise the alternate sections of land surveyed by railroad companies, and set apart for common schools," was taken up and read first time.

Rules suspended, bill read second time and passed to third reading.

On motion of Senator Ball, the rules were suspended, bill read third time and passed, by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Ellis, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Moore, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—23.

NAYS—None.

Senator Parker offered the following resolution :

*Resolved*, That the Secretary of the Senate be required, if practicable, to have one hundred copies of the caption of all acts and joint resolutions, passed at the present session of the Legislature, printed for the benefit of Senators, and they be delivered as soon as possible, before Senators leave the city. Adopted.

Senator Shepard offered the following resolution :

*Resolved*, That the Committee on Public Printing be instructed to report to the Senate whether or not the copies of the Governor's veto message of the International Railroad bill, ordered by the Senate, are printed, and when the same will be delivered. Adopted.

Senator Ball gave notice that he would move a reconsideration of the vote, by which the Senate, on yesterday, refused to pass House bill No. 795, "An act creating the office of public weigher, and regulating the appointment and defining the duties and liabilities thereof."

Senator Allison called up the motion made by him,

several days since, to reconsider the vote refusing to pass House bill No. 727, "An act to incorporate the Longview and Texarkana Air Line Railway Company."

Senator Flanagan moved a call of the Senate. Call sustained.

Absent—Senators Burton, Dwyer and Russell.

The Sergeant-at-Arms was dispatched for absent Senators.

On motion of Senator Friend, the rules were suspended, and House joint resolution No. 62, "Legalizing and validating the official acts of C. L. Thurmond, a Notary Public of Victoria county," was taken up, read second time and passed to third reading.

On motion of Senator Friend, the rules were suspended, the joint resolution read third time and passed.

The unfinished business being the further consideration of Senate bill No. 809, "An act to create an auditorial board," it was taken up.

On motion of Senator Dillard, the further consideration of said bills was postponed until 4 o'clock P. M. this evening.

Senate bill No. 321, "An act to provide a mode for the sale of shares in any joint stock or incorporated company on execution," was taken up, pending House amendments.

House amendments were concurred in.

A message was received from the House, announcing the passage of Senate bill No. 489, "An act authorizing the person in charge of the Capitol and State cemetery, under act of April 29, 1874, to contract for the necessary piping and fixtures for gas throughout the Capitol, and making an appropriation therefor."

Senate bill No. 582, "An act making an appropriation to pay J. W. Ferris for his services as Special Judge in the case wherein the International Railroad was plaintiff, and A. Bledsoe defendant," was taken up, pending an amendment by the House.

House amendments were concurred in.

Senate bill No. 802, "An act to amend section two of 'an act to reorganize the Seventh, Eighth and Eleventh Judicial Districts, and fix the time of holding courts therein,'" approved April 17, 1874, was taken up, pending House amendments.

House amendments were concurred in.

Senate bill No. 498, "An act to enlarge the powers, and define the duties of peace officers in the execution of process in criminal cases," was taken up, read third time and lost.

Senate bill No. 514, "An act to amend 'an act prescribing the time of holding district courts in the several judicial districts of the State,'" was taken up and read second time.

On motion of Senator Flanagan, the bill was indefinitely postponed.

On motion of Senator Baker, the rules were suspended, and Senate bill No. 850, "An act to amend the fifteenth section of 'an act to incorporate the Sherman, Wichita and Pan Handle Railway Company,'" passed May 22, 1873, was taken up and read first time.

On motion of Senator Hobby, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Ball, the rules were suspended, bill read third time and passed.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills have carefully examined and compared, Senate bill No. 815, "An act supplemental to 'an act creating the office of Assistant Attorney General, defining his duties and fixing his salary,'" passed at the present session of the Fourteenth Legislature, and find the same correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 758, "An act to retire the floating debt of the State, and provide for funding the same," was taken up.

Senator Wood offered the following amendment :

*Provided*, in addition to the sinking fund of ten per cent. out of general revenue to liquidate and redeem the principal of the bonds issued under this act, there is also set apart each year the sum of fifty thousand dollars, out of the school fund, to pay and redeem each year such bonds as are based on warrants issued to the teachers of the public free schools of this State for service rendered prior to the fourth day of July, A. D. 1873 ; and this clause shall be irrevocable under the article and section of the constitution recited in this act until the specific bonds named in this proviso are paid, and the Treasurer shall endorse on each bond based on school warrants, the words "issued to take up and fund school warrants," and the



said sum of fifty thousand dollars is hereby annually appropriated for the purposes mentioned in this section.

Adopted by the following vote:

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Davenport, Ellis, Erath, Flanagan, Joseph, Ledbetter, Morris, Parker, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—23.

NAYS—Senator Moore—1.

Rules suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Baker, Bradshaw, Bradley, Camp, Dillard, Davenport, Ellis, Erath, Flanagan, Joseph, Ledbetter, Morris, Parker, Randle, Russell, Shepard, Stirman, Swift and Wood—20.

NAYS—Senators Allison, Burton, Moore and Westfall—4.

Senator Bradley offered the following resolution:

“*Resolved*, That no bill or resolution of a private character be taken up at this session, until all bills of a general character are disposed of.” Read and laid over under the rules.

On motion of Senator Westfall, the rules were suspended and Senate bill No. 764, “An act to incorporate the Georgetown and Rockdale Railroad Company,” was taken up, pending amendments by the House. On motion of Senator Westfall, the House amendments were concurred in.

Senator Shepard gave notice that he would move a reconsideration of Senate bill No. 813, “An act to amend ‘an act prescribing the time of holding the district court in the Twenty-ninth Judicial District,’” and asked that it be brought back from the House.

On motion of Senator Baker, the rules were suspended, and Senate bill No. 799, “An act to authorize the destruction of certain bonds in the Treasury,” was taken up, read second time and ordered engrossed. On motion of Senator Baker, the rules were suspended, bill read third time and passed.

On motion of Senator Baker the rules were suspended, Senate bill No. 714, “An act to regulate fees to be charged by the Comptroller,” taken up, read second time, and committee amendments adopted and ordered engrossed.

On motion of Senator Baker, rules suspended, read third time and passed.

On motion of Senator Morris the rules were suspended and Senate bill No. 783, “An act to dispose of certain fur-

niture and matting," taken up, read second time and ordered engrossed.

On motion of Senator Morris, the rules were suspended, read third time and passed.

On motion of Senator Shepard, the rules were suspended and House bill No. 692, "An act to amend the Penal Code," was taken up and read second time.

Senator Shepard offered the following amendment:

Strike out caption and insert as follows: "An act to amend article 773 of 'an act to adopt and establish a Penal Code for the State of Texas,' " approved August 28, 1856. Adopted.

Senator Shepard offered the following amendment:

Strike out the words in section one "of an act to adopt a Penal Code for the State of Texas," and insert the following words, "of the above recited acts." Adopted.

Senator Bradshaw offered the following amendment:

After the word "State," insert the words "or county." Adopted.

Senator Burton offered the following amendment:

Strike out the word "penitentiary" wherever it occurs in the bill, and insert the words "be fined not less than fifty nor more than five hundred dollars."

The bill, as amended, then passed to third reading.

Senator Bradshaw, by leave, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Public Lands, to whom was referred Senate bill No. 789, "An act to amend 'an act to provide for the sale of the alternate sections of lands, as surveyed by railroad companies, and set apart for the benefit of the common school fund,' " have considered the same, and I am instructed to report it back, and recommend that it do pass.

BRADSHAW, for Committee.

The President announced the Senate as full, and the call that was made on motion to reconsider House bill No. 727, "An act to incorporate the Longview and Texarkana Air Line Railway Company," was suspended.

The vote on the motion, made by Senator Allison to reconsider, was as follows:

YEAS—Senators Allison, Bradshaw, Camp, Dillard, Davenport, Ellis, Erath, Hobby, Parker, Shepard, Swift, Westfall and Wood—13.

NAYS—Senators Ball, Baker, Bradley, Burton, Dwyer, Flanagan, Joseph, Ledbetter, Morris, Moore, Randle, Russell and Stirman—13.

The vote being evenly divided, the President voted in the affirmative, and the motion to reconsider prevailed.

The question then being on the passage of the bill, it was lost by the following vote :

YEAS—Senators Bradshaw, Camp, Dillard, Davenport, Ellis, Erath, Shepard, Westfall and Wood—9.

NAYS—Senators Ball, Baker, Bradley, Burton, Dwyer, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Parker, Randle, Russell, Stirman and Swift—16.

On motion of Senator Ellis, the rules were suspended, and House bill No. 605, "An act to amend sections fourteen and thirty-two of 'an act to establish and maintain a system of public free schools in the State of Texas,' passed May 22d, 1873, and to amend section twenty-two of an act to amend sections nine, ten, eleven, fifteen, seventeen, twenty-two and thirty-eight of 'an act to establish and maintain a system of public free schools in the State of Texas,' approved May 2d, 1874," was taken up, read second time and passed to third reading.

On motion of Senator Baker, the rules were suspended, bill read third time and passed.

On motion of Senator Dwyer, the rules were suspended, and Senate bill No. 818, "An act providing for the revision of the registration lists of Bexar county, for special elections," was taken up, read second time and ordered engrossed.

On motion of Senator Dwyer, the rules were suspended, bill read third time and passed.

Senator Hobby, Chairman Committee on Enrolled Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined, and find correctly enrolled, Senate bill No. 614, "An act attaching a portion of Trinity county to Polk county." Senate bill 686, "An act to amend section sixty-three of an act to amend 'an act prescribing the mode of proceeding in district courts in matters of probate,' approved May 20th, 1871. Senate bill No. 788, "An act to incorporate the Houston, East and West Texas Railroad Company, and to promote the

construction of the railway," and have this 12th day of March, 1875, at 10 o'clock A. M., presented the same to the Governor.

HOBBS, Chairman.

On motion of Senator Moore, the Senate adjourned until 3 P. M.

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EVENING SESSION—3 P. M.

Senate met pursuant to adjournment. Roll called : no quorum present.

The Sergeant-at-arms was dispatched for absent Senators.

Senator Davenport moved to adjourn until 9 o'clock A. M., to-morrow. Lost.

A quorum was announced as being present.

Senator Ball called up Senate bill No. 789, "An act to amend 'an act to provide for the sale of alternate sections of land, as surveyed by railroad companies, and set apart for common school fund.'" Read second time and ordered engrossed.

On motion of Senator Ball, the rules were suspended, bill read a third time and passed.

Senator Baker called up Senate bill No. 759, "An act to incorporate the Houston Light Guards, of the city of Houston." Read second time, pending amendments by committee.

The committee amendments were adopted.

The bill as amended was then ordered engrossed.

On motion of Senator Baker, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Burton, Camp, Dillard, Davenport, Erath, Flanagan, Friend, Hobbs, Joseph, Ledbetter, Morris, Moore, Parker, Russell, Shepard, Stirman, Westfall and Wood—22.

NAYS—None.

Senator Allison called up House bill No. 861, "An act to grant land to any company who will macadamize certain road in Hays county." Bill read second time and passed to third reading.

On motion of Senator Allison, the rules were further suspended, bill read third time and passed, by the following vote :

YEAS—Senators Ball, Baker, Burton, Davenport, Dwyer, Erath, Flanagan, Friend, Joseph, Ledbetter, Morris, Russell, Shepard, Stirman, Westfall and Wood—16.

NAYS—Senators Allison, Bradshaw, Dillard, Ellis, Hobby, Moore and Parker—7.

A message was received from the House, announcing the passage of Senate bill No. 792, "An act to create and organize the county of Somerville," with an amendment by the House. Also the passage of Senate bill No. 667, "An act to amend 'an act to establish a Code of Criminal Procedure for the State of Texas.'" Also, the passage of House bill No. 672½, "An act to regulate proceedings in the district courts of the State."

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 758, "An act to retire the floating debt of the State, and provide for funding the same." Senate bill No. 790, "An act to provide for the collection of all back taxes due by railway and telegraph companies in this State, and to provide penalties for non-payment of the same," and find both of same correctly engrossed.

SHEPARD, for Committee.

Senator Burton called up Senate bill No. 638, "An act to authorize Travis county to issue bonds to build a courthouse and jail," together with the veto message of His Excellency on said bill.

Senator Ellis moved a call of the Senate. Call sustained.

Senator Westfall moved that the call be suspended. Carried.

Senator Ellis moved a call of the Senate. Call not sustained.

Senator Hobby moved to adjourn until 9 o'clock, A. M., to-morrow. Lost.

Senator Russell moved the previous question. Previous question ordered.

The question then being "shall the bill pass, notwithstanding the objections of the Governor?" it failed to pass by the following vote—it requiring a two-thirds vote:

YEAS—Senators Allison, Ball, Burton, Dwyer, Erath, Flanagan, Joseph, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, Swift and Westfall—15.

NAYS—Senators Baker, Bradshaw, Bradley, Camp, Ellis, Friend, Hobby, Moore and Wood—9.

A message was received from the House, announcing the passage of the following bills :

Senate bill No. 492, "An act to regulate public roads in Texas;" Senate bill No. 601, "An act to amend section 357, of 'an act prescribing the mode of proceeding in district courts in matters of probate,'" approved August 15, 1870; Senate bill No. 606, "An act to validate the official acts of J. J. Metcalf, surveyor of Palo Pinto land district;" Senate bill No. 640, "An act supplementary to 'an act for the benefit of actual occupants of the public domain,'" approved May 26, 1873; Senate bill No. 615, "An act to amend an act amendatory of and supplementary to 'an act to incorporate the Pacific and Great Eastern Railway Company,'" passed May 31, 1875, with an amendment by the House.

Senator Camp called up Senate bill No. 467, "An act concerning the location of the courthouse in Marion county," with amendments thereto by the House; House amendments concurred in.

A message was received from the House, announcing the passage of the following bills :

Substitute to House bill No. 669, "An act to repeal an act entitled 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico,'" approved April 21, 1874.

House bill No. 640, "An act to regulate the estraying of stock in the State of Texas."

Senate bill No. 617, "An act to grant lands to certain counties for educational purposes."

Senate bill No. 655, "An act to appropriate unexpended moneys to be used for educational purposes in the school district to which they belong."

Senator Westfall gave notice that he would move a reconsideration of the vote passing House bill No. 839, "An act to repeal 'an act to re-incorporate the city of Corpus Christi,'" approved May 22, 1873, and all other acts or laws relating to the incorporation and franchises of said city.

Senator Dwyer called up House bill No. 633, "An act to incorporate the Sabine Pass and Marshall Air Line Railroad Company, and to aid in the construction of the same." Bill read first time. Rules suspended, and bill read second time.

Senator Swift moved to amend by striking out the word

"Marshall" in the caption of bill, and inserting the word "Longview." Adopted.

Senator Ireland offered the following amendment:

*Provided*, that said company shall construct their road within one-half mile of the town of Beaumont, in Jefferson county, the town of Woodville, in Tyler county, the town of Homer, in Angelina county, and the town of Nacogdoches, in Nacogdoches county; *provided*, said towns shall donate ten acres of land each, to said road upon which to erect all necessary buildings, such as depots and necessary switches. Adopted.

Senator Hobby offered the following amendment:

Add to end of the first section the following names as incorporators: R. A. Cuse, W. B. Cline, J. E. Tompkins, W. P. Wicks, J. D. Martin, P. F. Edwards, I. G. Collier, Jessie Lorenby, and C. H. Jones, Thompson Camp, of Texas. Adopted.

Senator Hobby offered the following amendment:

Strike out the name of "A. D. Kent," and insert the name of "P. S. Watts." Adopted.

The bill as amended, then passed to third reading. Rules suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Baker, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Moore, Parker, Russell, Stirman, Swift, Westfall and Wood—23.

NAYS—Senators Allison, Bradshaw and Shepard—3.

Senator Wood called up House bill No. 669, "An act to repeal an act entitled 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;'" approved April 21, 1874. Read first time.

On motion of Senator Wood, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senator Bradley called up House bill No. 777, "An act to require the several district clerks in the State of Texas to forward to the Secretary of State certain books." Bill read first time.

On motion of Senator Bradley, the rules were suspended and bill read second time, and passed to third reading.

On motion of Senator Bradley, the rules were suspended, bill read third time and passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Bradshaw, Brad-

ley, Burton, Camp, Davenport, Ellis, Erath, Flanagan, Friend, Joseph Ledbetter, Morris, Parker, Russell, Stirman, Swift, Westfall and Wood—21.

NAYS—None.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 714, "An act to regulate office fees to be charged by the Comptroller of Public Accounts," and find the same correctly engrossed.

JOSEPH, for Committee.

Senator Shepard, for Committee on Engrossed Bills, submitted following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate joint resolution No. 783, "Joint resolution to dispose of certain furniture and matting." Senate bill No. 818, "An act providing for the revision of the registration lists of Bexar county for special elections." Senate bill No. 799, "An act to authorize the destruction of certain bonds of the State of Texas, in the Treasury office," and find all of same correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Ellis, the vote refusing to pass Senate bill No. 638, "An act to authorize the county of Travis to issue bonds to build a courthouse and jail," over the veto of his Excellency, the Governor, was reconsidered.

The question then being, "Shall the bill pass, notwithstanding the objections of his Excellency, the Governor," it was passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Burton, Dwyer, Ellis, Erath, Flanagan, Joseph, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, Swift and Westfall—17.

NAYS—Senators Bradley, Camp, Davenport, Friend and Moore—5.

Senator Davenport called up House bill No. 853, "An act to incorporate the 'Waco Greys,' of the city of Waco, McLennan county." Bill read first time.

On motion of Senator Davenport, the rules were suspended, bill read second time and passed to third reading.



On motion of Senator Davenport, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradley, Burton, Camp, Davenport, Dwyer, Erath, Flanagan, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, Swift, Westfall and Wood—19.

NAYS—Senator Ellis—1.

Senator Ball called up Senate bill No. 792, "An act to create and organize the county of Somerville," with an amendment by the House.

House amendment concurred in.

Senator Ball called up Senate bill No. 489, "An act authorizing the person in charge of the Capitol and Capitol grounds and State cemetery, under act of April 29, 1874, to contract for the necessary piping and fixtures for gas lights throughout the Capitol, and making appropriation therefor," with amendments by the House.

House amendments concurred in.

Senator Ball called up Senate bill No. 615, "An act to amend an act amendatory of and supplementary to 'an act to incorporate the Pacific and Great Eastern Railway Company,' " passed May 31, 1875, with an amendment by the House.

House amendment was concurred in.

The hour having arrived for the consideration of the special order, to-wit: Senate bill No. 809, "An act to create an Auditorial Board," it was, on motion of Senator Wood, made special order for to-morrow, at 11 o'clock A. M.

Senator Wood, Chairman Committee on Internal Improvements, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Internal Improvements, to whom was referred House bill No. 834, "An act to incorporate the Jefferson, Linden and Texarkana Railroad Company," after considering the same, report said bill back and recommend that it do pass.

WOOD, Chairman.

Senator Allison called up his motion heretofore made, to reconsider the vote by which the Senate refused to pass House bill No. 861, "An act to authorize the county court of Collin to issue bonds," over the veto of His Excellency, the Governor. The Senate reconsidered the vote.

The question then was: "shall the bill pass, notwith-

standing the objections of His Excellency, the Governor?"

The bill passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Burton, Dwyer, Erath, Flanagan, Joseph, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, Swift and Westfall—16.

NAYS—Senators Bradley, Camp, Davenport, Ellis, Friend and Moore—6.

Senator Hobby, Chairman Committee on Enrolled Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, Senate bill No. 718, "An act to incorporate the Waco, Belton and Gatesville Turnpike Company," and have presented the same to the Governor, this 12th day of March, 1875, at 10:30, A. M. HOBBY, Chairman.

Senator Flanagan called up House bill No. 813, "An act to perfect the organization of the county of Presido." Bill read second time and passed to third reading.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed.

A message was received from the House announcing the passage of the following bills:

House bill No. 767, "An act to confer additional jurisdiction on justices of the peace."

House bill No. 710, "An act requiring the several justices of the peace, heretofore having and exercising jurisdiction in the territory composing the county of Waller, previous to its organization, or their successors in office, to turn over to the proper justices of the peace of Waller county, respectively, all the unfinished business of their courts, originating or belonging to the several justices of Waller county, including the original papers in all suits pending, with a certified transcript of all orders made therein, and also a certified copy of all judgments on their dockets remaining unsettled."

Senate joint resolution No. 658, "Amending sections one, two, six and seven of article 5; sections forty-four, forty-five and forty-six of article 12; sections one, two, three, four, five, six, seven, eight and nine of article 9; and section fifty-one, general provisions of the constitution."

Senator Ellis called up House bill No. 815, "An act to

provide for translating and printing in the Spanish and German languages the constitution of the State of Texas, and certain laws thereof." Read first time.

On motion of Senator Ellis the rules were suspended.

Senator Wood offered the following amendment:

Amend by striking out of the bill the word "constitution," and the word "Governor," wherever they occur.

Pending the above amendment, on motion of Senator Bradley, the Senate adjourned until 9½ o'clock. A. M., to-morrow.

## FIFTY-SECOND DAY.

SENATE CHAMBER,  
AUSTIN, March 13th, 1875. (

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

The reading of the journal of yesterday was dispensed with.

Senator Davenport. Chairman Committee on Public Printing, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

SIR—Your Committee on Printing, to whom was referred Senate resolution regarding the printing of the Governor's veto message, beg leave to report that five thousand copies of said message have been delivered, and that the remaining fifteen thousand will be ready for delivery to-day. Your committee are of opinion that the message has been printed with commendable promptness by the Public Printer, considering the large amount of work required at his hands.

DAVENPORT, for Committee.

Senator Shepard called up his motion, entered on yesterday, to reconsider the vote passing Senate bill No. 813, "An act prescribing the times of holding the district courts in the Twenty-ninth Judicial District, and repealing all other acts in conflict with this act," approved April 29th, 1874. Motion carried, and the bill reconsidered.

Senator Shepard then introduced a substitute for said bill, said substitute being entitled "An act to amend 'an act prescribing the time of holding the district courts in the Twenty-ninth Judicial District,'" approved April 29th, 1874.

Substitute read first time and adopted; rules suspended, read second time and ordered engrossed.